

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

LAEL GARDNER

*

v.

*

CIVIL ACTION NO. CCB-13-3397

CENTRAL INTELLIGENCE AGENCY

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MEMORANDUM

On November 14, 2013, plaintiff, a resident of Baltimore, Maryland, filed this self-represented complaint which appears to invoke this court's civil rights jurisdiction. The following claims are raised:

On April 16, 2012 I Lael Gardner called the Central Intelligence Agency to speak to the Director of the Agency for which I have always known as Leon Penetta. Rep of Agency ask me to explain what the nature of the call was for. I told her I need to speak to Mr. Leon Penetta with concerns of misconduct of employees or agents of year of Abuse of myself & children, property damage, violating civil rights, surveillance [sic] in home etc. Rep from Central Intelligence says she will send a officer to my home which I told her not to. A little while late[r] a man in government uniform knock at my door says (are you Lael Gardner) I says yes I am he says did you call Central Intelligence. I says yes I did he says what did u call for. I says to speak to Leon Penetta the director, he says what do u need to speak to him for and I says I need to report. Report was my last words, the Officer snatched my right arm and says you are going with me. My 7 yrs old son was screaming Put black handcuffs on me. I was screaming & crying, me and son [and] several other agent in government uniform come in my home. Officer says u are going with me. Put me in a police car. Put the front seat heavily [sic] on my knees. Put my son in another car says he was going to take him to Dept of Social Service if I did not have someone to watch him. Picked my 15 yr old daughter up from Carver High School to stay with him. I was taken to Johns Hopkins Psych Ward were I was held down in a cell and they put a long needle with medicine in my body 2X. I was held from April 16-April 19th 2012, against my will on a locked unit. Later sent a bill over \$4,000 to me.

(ECF No. 1 at 2.) Plaintiff seeks \$25,000,000.00 in damages and \$5,000,000.00 in damages for her children and moves for leave to proceed in forma pauperis. (*See id.* at 3; *see also* ECF No. 2.) The motion to proceed without paying a filing fee shall be granted.

In *Neitzke v. Williams*, 490 U.S. 319 (1989), the United States Supreme Court determined that a district court may dismiss the complaint of a pro se litigant when the complaint lacks “an arguable basis either in law or in fact.” *Id.* at 324-25. Additionally, under *Denton v. Hernandez*, 504 U.S. 25 (1992), a court may dismiss as frivolous in forma pauperis complaints whose factual allegations are fanciful, fantastic, delusional, irrational, or wholly incredible, but not those which are simply unlikely. *Id.* at 32-33; *see also Brock v. Angelone*, 105 F.3d 952, 953-54 (4th Cir.1997).

Plaintiff’s factual statement of her claims even construed liberally, do not support any claim under the Constitution, laws, or treaties of the United States or Maryland. Because the alleged factual basis for plaintiff’s lawsuit is plainly irrational, the case is subject to summary dismissal as frivolous. The civil rights allegations against the Central Intelligence Agency shall be summarily dismissed under 28 U.S.C. § 1915(e)(2)(B). A separate Order follows.

Date: November 26, 2013

_____/s/_____
Catherine C. Blake
United States District Judge